

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

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Mar 29 2023

S.C. SUPREME COURT

On Petition for Writ of Certiorari to Charleston County
Honorable Edgar W. Dickson, Circuit Court Judge
Appellate Case No. 2022-001121

KADRIN SINGLETON,

Petitioner,

vs.

STATE OF SOUTH CAROLINA,

Respondent.

**MOTION FOR FOURTH EXTENSION OF TIME WITHIN WHICH
TO SERVE AND FILE RETURN TO PETITION
FOR WRIT OF CERTIORARI**

Respondent (“the State”), through its undersigned counsel, would respectfully show unto the Court as follows:

I.

The Return to Petition for Writ of Certiorari is due to be served and filed on March 29, 2023.

II.

Pursuant to RE: Extension Requests in Criminal Direct Appeals and Post-Conviction Relief Certiorari Proceedings: Order of the South Carolina Supreme Court dated March 18, 2009, the State moves for a **fourth** extension in the above-referenced post-conviction relief appeal and asks for an additional thirty days to complete the return in this case. In the past few weeks, the undersigned counsel has participated in oral argument before the Supreme Court in

State v. Ontavious Derenta Plumer; has filed a Petition for Rehearing with the Court of Appeals in Charles Green, Jr. v. State; has filed an Initial Brief of Respondent with the Court of Appeals in State v. Solomon Tadesse Yemame and State v. Ronzell Bilah Olds; and has filed a Brief of Respondent with the Court of Appeals in State v. Shiquan Tyon Cwiklinski. Along with that and other responsibilities in the office, the undersigned counsel has also prepared for and participated an out-of-office presentation and his participated in mandatory in-office training involving the South Carolina Department of Administration.

III.

The undersigned counsel submits this extension request is supported by extraordinary circumstances and is not intended for purposes of delay. The Return in the above-referenced case stems from a murder conviction that resulted in the imposition of life without parole, and it has required significant research because the case involves three important appellate issues, including one related to trial counsel's failure to request a jury instruction on the lesser-included offense of voluntary manslaughter. Additionally, the appendix in the case is a lengthy one stretching into a fourth volume. The undersigned counsel is currently working on the Return in this case and intends to have it finished in a timely manner. However, the undersigned counsel—who had no prior involvement in the case until it was reassigned to him after one extension request had already been made on behalf of the State—has not yet been able to finish the Return due to a heavy workload and other challenges stemming from significant staffing issues within the South Carolina Attorney General's Office's post-adjudication section that have required and led to the reassignment of numerous cases. Accordingly, in order to ensure the Return is properly researched and prepared, I would therefore request an additional extension of time within which to serve and file the Return.

IV.

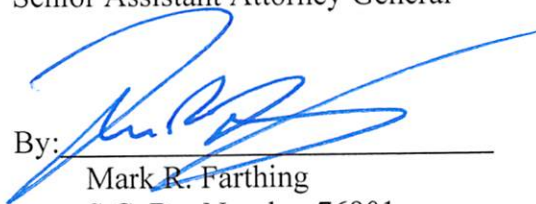
Before filing this extension request, the State has consulted with counsel for Petitioner about the matter, and counsel for Petitioner has graciously indicated she does not object to the State's request for an additional extension.

WHEREFORE, Respondent prays that the Court extend the deadline for the service and filing of the Return to Petition for Writ of Certiorari in this case for thirty days from the date such relief is granted; hold the matter in abeyance pending a ruling on Respondent's motion; and grant such other and further relief as the Court may deem just and proper.

Respectfully submitted,

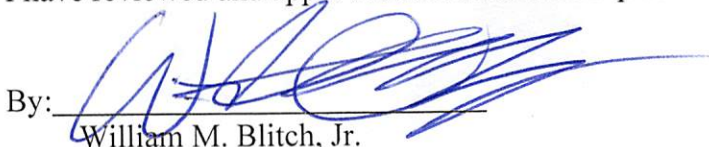
ALAN WILSON
Attorney General

MARK R. FARTHING
Senior Assistant Attorney General

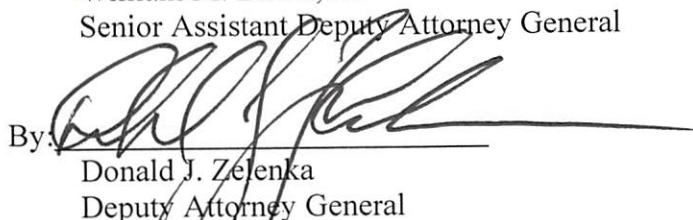
By: 

Mark R. Farthing
S.C. Bar Number 76901

I have reviewed and approved this extension request.

By: 

William M. Blich, Jr.
Senior Assistant Deputy Attorney General

By: 

Donald J. Zejenka
Deputy Attorney General

March 29, 2023